

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

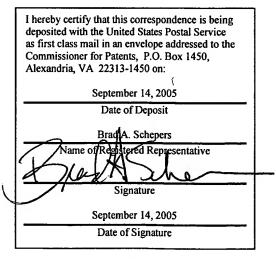
In re patent application of:)	Before the Examiner:
Bianchi et al.)	Suzette Jaime Gherbi
Application of Serial No. 10/699,175)	Group Art Unit 3738
Filed October 31, 2003)	Ref. No. MSDI-434/PC316.08
OPEN INTERVERTEBRAL SPACER)	September 14, 2005

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated March 14, 2005, please enter and consider the following amendments and remarks. A fee in the amount of \$1,020.00 is remitted herewith for a three (3) month extension of time, thereby extending the time period to respond to the final Office Action to September 14, 2005. Additionally, this Response is being filed with a Request for Continued Examination (RCE) along with the corresponding filing fee in the amount of \$790.00. Furthermore, a fee in the amount of \$200.00 is remitted herewith for the addition of one (1) independent claim. Please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.



INTRODUCTORY COMMENTS

Claims 72-134 were pending in the subject application for the final Office Action mailed on March 14, 2005. Each of the currently pending claims has been rejected on various grounds. This Response is being filed in conjunction with the filing of an RCE application. Accordingly, entry of the subject Response is submitted to be a matter of right. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.